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## A BILL FOR AN ORDINANCE

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TO AMEND CHAPTER 14 OF THE REVISED ORDINANCE OF HONOLULU 1990, AS AMENDED, RELATING TO THE PUBLIC WORKS INFRASTRUCTURE REQUIREMENTS INCLUDING FEES AND SERVICES BY AMENDING ARTICLES 1, 6, 10, and APPENDIX B RELATING TO PUBLIC SEWERS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to update portions of Chapter 14, Revised Ordinance of Honolulu 1990, as amended, by: (1) amending Articles 1, 6, 10, and Appendix B, to assign responsibilities to applicable departments due to the city reorganization on July 1, 1998; (2) to clarify definitions related to sewer service charges; (3) to adjust sewer service charges to more equitably distribute costs; and, (4) to better relate timing of payment of Wastewater System Facility Charges to actual construction of facilities.

SECTION 2. Section 14-1.2, Revised Ordinances of Honolulu 1990, is amended to read as follows:

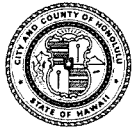
Sec. 14-1.2 Definitions.

"Dwelling unit" means a room or rooms connected together constituting an independent living unit with independent exterior access that includes a food preparation area. The existence of separate rental/lease agreements, addresses, and mailboxes [may also] can be used in determining dwelling unit counts for sewer service charge assessment purposes.

"Food preparation area" means an area containing fixtures, appliances, or devices for:

- (1) Heating, preparing or cooking food;
- (2) Refrigerating food; and
- (3) Washing utensils used for dining and food preparation and/or for washing and preparing food.

The permanent removal of [two of the three above-numbered elements] both elements 1 and 2 above, or element 3 above are/is required to eliminate a food preparation area for sewer service charge assessment purposes.



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SECTION 3. Section 14-6.6, Revised Ordinances of Honolulu 1990, is amended to read as follows:

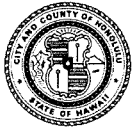
“Sec. 14-6.6 Nonresidential strength surcharges.

- (a) In addition to user charges based solely on quantity, nonresidential users shall also be subject to a strength surcharge in accordance with Section 14-1.9(i). A monitoring program shall be initiated by the department to periodically measure the strength characteristics of wastewater discharges from these users, in accordance with Section 14-1.9(k).
- (b) The nonresidential user charge schedule is applicable to domestic strength wastewater having an average suspended solids loading of 200 mg/l. The charge to a nonresidential user whose wastewater loading exceeds 200 mg/l shall be determined by means of the following formula, where  $SS_m$  equals the measured suspended solids loading for that user and  $c$  is the user's charge per 1,000 gallons of either water usage or wastewater discharge, whichever is applicable.

$$\text{Charge per 1000 gallons} = c \left[ [0.687] \underline{0.857} + \frac{[0.313] \underline{0.143} (SS_m)}{200} \right]$$

- (c) All nonresidential users that discharge wastewater having suspended solids loadings greater than 200 mg/l shall be identified by the department and shall be subject to this strength surcharge, effective upon the completion of construction of Phase II, Sand Island sewage treatment plant.
- (d) Strength surcharges for BOD<sub>5</sub> shall not be levied against nonresidential users until completion of the west and east Mamala Bay secondary treatment facilities, as applicable.
- (e) The actual formulas for water usage and wastewater discharge are shown in the sewer service charge schedules listed separately in Appendix A.”

SECTION 4. Section 14-10.2, Revised Ordinance of Honolulu 1990, is amended to read as follows:



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Sec. 14-10.2 Time of payment.

(a) Residential Service.

(1) New Residential Applicants for Service.

(A) A wastewater system facility charge shall be paid by each new applicant for service as a precondition to the issuance of a building permit by the city, where the new applicant is subject to liability under Section 14-10.1(a); provided that the director of the department of planning and permitting may defer payment of the facility charge for low-income housing projects and city or city-sponsored, or state or state-sponsored housing projects, but in all instances no connection to the city's sewer system shall be allowed until the facility charge is paid. The required payment shall be based on the number and type of dwelling units to be constructed in accordance with Section 14-10.3.

(B) Wastewater system facility charges for subdivision or development projects shall be paid as a precondition to [final subdivision approval] issuance of building permits for the subdivision by the city. The minimum required payment shall be based on one equivalent single-family dwelling unit per lot. In the event more than one equivalent single-family dwelling unit is constructed per lot, wastewater system facility charges for each additional unit shall be paid as a precondition to the issuance of a building permit by the city; provided that the director of the department of planning and permitting may defer payment of the facility charge for low-income housing projects and city or city-sponsored, or state or state-sponsored housing projects, but in all instances no connection to the city's sewer system shall be allowed until the facility charge is paid. Subdivision or development projects which have received final subdivision approval prior to the effective date of this article shall be exempt from paying the minimum one equivalent single-family dwelling unit charge.

(2) Existing Residential Structures.

(A) An existing residential structure is exempt from liability under Section 14-10.1 for its existing wastewater system capacity entitlement.



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- (B) An applicant for a building permit to enlarge an existing residential structure shall be liable for the wastewater system facility charge increment associated with the enlargement project, based on the number and type of dwelling units to be constructed in accordance with Section 14-10.3. Payment of the charge shall be a precondition to the issuance of a building permit by the city.

For the purposes of this subsection, "city or city-sponsored housing project" shall mean a housing project that is city-owned, city-funded and/or developed pursuant to HRS Section 46-15 or 46-15.2 and/or under HRS Chapter 201G as applicable to the city through HRS Section 46-15.1, "state or state-sponsored housing project" shall mean a housing project that is state-owned, state-funded and/or developed under HRS Chapter 201G, and "low-income housing project" means the same as is defined in Section 14-10.6, provided that a "city or city-sponsored housing project" and a "state or state-sponsored housing project" may also be a "low-income housing project" for purposes of the reduction of the wastewater system facility charges pursuant to Section 14-10.6.

(b) Nonresidential Service.

- (1) New Nonresidential Applicants for Service. A wastewater system facility charge shall be paid by each new nonresidential applicant for service as a precondition to the issuance of a building permit by the city, where the new applicant is subject to liability under Section 14-10.1(a). The required payment shall be based on the procedures indicated in Section 14-10.4.
- (2) Existing Nonresidential Structures.
- (A) An existing nonresidential structure is exempt from liability under Section 14-10.1(b) for its existing wastewater system capacity entitlement.
- (B) An applicant for a building permit to enlarge an existing nonresidential structure shall be liable for the wastewater system facility charge increment associated with the enlargement project, based on the procedures set forth in Section 14-10.4. Payment of the charge shall be a precondition to the issuance of a building permit by the city.

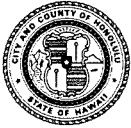


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- (C) An applicant wishing to increase its wastewater system capacity entitlement when no increase in structure size is required, shall be liable for the wastewater system facility charge increment associated with the increase, based on the procedures set forth in Section 14-10.4. Payment of the charge shall be a precondition to the issuance of a building permit by the city.
- (c) Mixed Residential and Nonresidential Service.
- (1) New Mixed Applicants for Service. A wastewater system facility charge shall be paid by each new applicant for service as a precondition to the issuance of a building permit by the city, where the applicant is subject to liability under Section 14-10.1(a); provided that the director of the department of planning and permitting may defer payment of the facility charge applicable to the residential portion of a city or city-sponsored or state or state-sponsored housing project upon consideration of the applicant's financial situation, but in all instances no connection to the city's sewer system shall be allowed until the charge is paid. The required payment shall be based on the procedures set forth in Section 14-10.5.
- (2) Existing Mixed Structures.
- (A) An existing structure is exempt from liability under Section 14-10.1(b) for its existing wastewater system capacity entitlement.
- (B) An applicant for a building permit to enlarge an existing structure shall be liable for the wastewater system facility charge increment associated with the enlargement project, based on the procedures set forth in Section 14-10.5. Payment of that charge shall be a precondition to the issuance of a building permit by the city.
- (C) An applicant wishing to increase its wastewater system capacity entitlement to accommodate a change in use of the existing structure shall be liable for the wastewater system facility charge increment associated with the increase, based on the procedures set forth in Section 14-10.5. Payment of that charge shall be a precondition to the issuance of a building permit by the city.



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For the purposes of this subsection, "city or city-sponsored housing project" shall mean a housing project that is city-owned, city-funded and/or developed pursuant to HRS Section 46-15 or 46-15.2 and/or under HRS Chapter 201E as applicable to the city through HRS Section 46-15.1, and "state or state-sponsored housing project" shall mean a housing project that is state-owned, state-funded and/or developed under HRS Chapter 201E.

SECTION 5. Section 14-10.5, Revised Ordinance of Honolulu 1990, is amended to read as follows:

Sec. 14-10.5 Mixed residential and nonresidential wastewater system facility charges.

- (a) Each applicant for a building permit for a new structure, or the owner of an existing structure who wishes to increase the owner's wastewater system capacity entitlement, shall be required to pay a wastewater system facility charge based on the number of equivalent single-family dwelling units in the project to be constructed. This requirement shall be applicable to those new applicants for service and to those existing structures which are subject to liability under Section 14-10.1.
- (b) The new applicant for service, or the owner of an existing structure who wishes to increase the owner's current wastewater system capacity entitlement, shall be required to install a sub-water meter to monitor the water flow to the nonresidential units. [The sub-water meter size shall be obtained from the board of water supply, or from the state department of land and natural resources in the case of private water wells, for the project to be constructed.] The number of ESDUs shall be determined in accordance with Section 14-10.3 for the residential units and Section 14-10.4 for the nonresidential units.

SECTION 6. Appendix 14-B, Revised Ordinances of Honolulu 1990, is repealed.

### ["Appendix 14-B

### SEWER SERVICE CHARGE SCHEDULES

The charges in column 1 apply to all customers, except those customers for which a sewer service contract/agreement exists between the customer and the City and County of Honolulu which provides that column 2 charges shall apply. Sewer service contracts/agreements that allow column 2 charges are intended for customers who

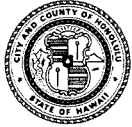


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have paid their share of capital costs of collection, treatment and disposal of their wastewater by the city.

<b>Residential Sewer Service Charges</b>			
	<b>Effective July 1 of:</b>	<b>1</b>	<b>2</b>
Single-family and duplex dwellings served by city water system per dwelling unit per month			
1. Monthly base charge	2011	\$71.13	\$56.10
	2012	73.97	58.34
	2013	76.93	60.68
	2014	80.01	63.10
	2015	84.01	66.26
	2016	90.73	71.56
2. Monthly usage charge--First 2,000 gallons of metered water consumed	2011	No charge	No charge
3. Charge per 1,000 gallons of metered water consumed over 2,000 gallons, the water consumed reduced by the water irrigation factor of 18%; provided that residential users who install and maintain a water meter for submetering nonsewer water shall not have the water consumed reduced by the water irrigation factor	2011	\$3.00	\$3.00
	2012	3.12	3.12
	2013	3.24	3.24
	2014	3.37	3.37
	2015	3.54	3.54
	2016	3.82	3.82

Single-family and duplex dwellings not served by city water system per dwelling unit per month	2011	\$87.56	\$80.85
	2012	91.06	84.08
	2013	94.70	87.45
	2014	98.49	90.94
	2015	103.41	95.49
	2016	111.69	103.13



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Multiple-unit dwellings served by city water system per dwelling unit per month			
1. Monthly base charge	2011	\$49.82	\$39.22
	2012	51.81	40.79
	2013	53.88	42.42
	2014	56.04	44.12
	2015	58.84	46.32
	2016	63.55	50.03
2. Monthly usage charge--First 2,000 gallons of metered water consumed	2011	No charge	No charge
3. Charge per 1,000 gallons of metered water consumed over 2,000 gallons, the water consumed reduced by the water irrigation factor of 18%; provided that residential users who install and maintain a water meter for submetering nonsewer water shall not have the water consumed reduced by the water irrigation factor	2011	\$3.00	\$3.00
	2012	3.12	3.12
	2013	3.24	3.24
	2014	3.37	3.37
	2015	3.54	3.54
	2016	3.82	3.82
Multiple-unit dwellings not served by city water system per dwelling unit per month	2011	\$67.40	\$56.68
	2012	70.10	58.95
	2013	72.90	61.31
	2014	75.82	63.76
	2015	79.61	66.95
	2016	85.98	72.30



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<b>Non-Residential Sewer Service Charges</b>			
	<b>Effective July 1 of:</b>	<b>1</b>	<b>2</b>
Domestic Strength Wastewater: 1. Metered Water Usage a. If 9,000 gallons or less per month			
(1) Monthly base charge	2011	\$63.97	\$53.25
	2012	66.53	55.38
	2013	69.19	57.59
	2014	71.96	59.90
	2015	75.56	62.89
	2016	81.60	67.92
(2) Charge per 1,000 gallons	2011	\$3.26	\$3.26
	2012	3.39	3.39
	2013	3.52	3.52
	2014	3.66	3.66
	2015	3.84	3.84
	2016	4.15	4.15
b. If more than 9,000 gallons per month, charge per 1,000 gallons	2011	\$10.36	\$8.70
	2012	10.77	9.05
	2013	11.20	9.42
	2014	11.65	9.79
	2015	12.23	10.28
	2016	13.21	11.10
2. Metered Wastewater Discharge a. If 7,000 gallons or less per month			
(1) Monthly base charge	2011	\$63.97	\$53.25
	2012	66.53	55.38
	2013	69.19	57.59
	2014	71.96	59.90



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<b>Non-Residential Sewer Service Charges</b>			
	<b>Effective July 1 of:</b>	<b>1</b>	<b>2</b>
	2015	75.56	62.89
	2016	81.60	67.92
(2) Charge per 1,000 gallons	2011	\$4.16	\$4.16
	2012	4.33	4.33
	2013	4.50	4.50
	2014	4.68	4.68
	2015	4.91	4.91
	2016	5.31	5.31
b. If more than 7,000 gallons per month, charge per 1,000 gallons	2011	\$13.16	\$11.04
	2012	13.68	11.49
	2013	14.23	11.95
	2014	14.80	12.42
	2015	15.54	13.05
	2016	16.78	14.09
<b>Extra Strength Wastewater</b>			
1. Charge per 1,000 gallons of water usage, use the following formula:  0.857 + 0.143(SSm/200) multiplied by applicable rate	2011	\$10.36	\$8.70
	2012	10.77	9.05
	2013	11.20	9.42
	2014	11.65	9.79
	2015	12.23	10.28
	2016	13.21	11.10
2. Charge per 1,000 gallons of wastewater discharge, use the following formula:  0.857 + 0.143(SSm/200) multiplied by applicable rate	2011	\$13.16	\$11.04
	2012	13.68	11.49
	2013	14.23	11.95
	2014	14.80	12.42
	2015	15.54	13.05
	2016	16.78	14.09

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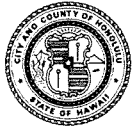
SECTION 7. Chapter 14, Revised Ordinances of Honolulu 1990, is amended by adding a new Appendix 14-B to read as follows:

### Appendix 14-B

#### SEWER SERVICE CHARGE SCHEDULES

The charges in column 1 apply to all customers, except those customers for which a sewer service contract/agreement exists between the customer and the City and County of Honolulu which provides that column 2 charges shall apply. Sewer service contracts/agreements that allow column 2 charges are intended for customers who have paid their share of capital costs of collection, treatment, and disposal of their wastewater by the city.

Residential Sewer Service Charges			
	Effective July 1 of:	1	2
Single-family and duplex dwellings served by city water system per dwelling unit per month			
1. Monthly base charge			
	2012	\$63.23	\$49.87
	2013	65.76	51.86
	2014	68.39	53.94
	2015	71.81	56.64
	2016	77.55	61.17
2. Charge per 1,000 gallons of metered water consumed, the water consumed reduced by the water irrigation factor of 20%; provided that residential users who install and maintain a water meter for submetering nonsewer water shall not have the water consumed reduced by the water irrigation factor			
	2012	\$3.77	\$3.77
	2013	3.93	3.93
	2014	4.08	4.08
	2015	4.29	4.29
	2016	4.63	4.63

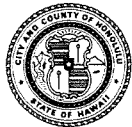


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Single-family and duplex dwellings not served by city water system per dwelling unit per month			
	2012	\$90.14	\$84.08
	2013	94.03	87.45
	2014	97.79	90.94
	2015	102.68	95.49
	2016	110.89	103.13
Multiple-unit dwellings served by city water system per dwelling unit per month			
1. Monthly base charge			
	2012	\$43.47	\$34.28
	2013	45.21	35.66
	2014	47.02	37.08
	2015	49.37	38.94
	2016	53.32	42.05
2. Charge per 1,000 gallons of metered water consumed, the water consumed reduced by the water irrigation factor of 20%; provided that residential users who install and maintain a water meter for submetering nonsewer water shall not have the water consumed reduced by the water irrigation factor			
	2012	\$3.77	\$3.77
	2013	3.93	3.93
	2014	4.08	4.08
	2015	4.29	4.29
	2016	4.63	4.63
Multiple-unit dwellings not served by city water system per dwelling unit per month			
	2012	\$70.65	\$55.72
	2013	73.47	57.95
	2014	76.41	60.27
	2015	80.23	63.28
	2016	86.65	68.34



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<b>Non-Residential Sewer Service Charges</b>			
	<b>Effective July 1 of:</b>	<b>1</b>	<b>2</b>
Domestic Strength Wastewater: 1. Metered Water Usage			
(1) Monthly base charge			
	2012	\$63.23	\$49.87
	2013	65.76	51.86
	2014	68.39	53.94
	2015	71.81	59.64
	2016	77.55	61.17
(2) Charge per 1,000 gallons			
	2012	\$3.77	\$3.77
	2013	3.93	3.93
	2014	4.08	4.08
	2015	4.29	4.29
	2016	4.63	4.63
2. Metered Wastewater Discharge (1) Monthly base charge	2012	\$63.23	\$49.87
	2013	65.76	51.86
	2014	68.39	53.94
	2015	71.81	59.64
	2016	77.55	61.17
(2) Charge per 1,000 gallons			
	2012	\$3.77	\$3.77
	2013	3.93	3.93
	2014	4.08	4.08
	2015	4.29	4.29
	2016	4.63	4.63
Extra Strength Wastewater	2012	\$3.77	\$3.77
	2013	3.93	3.93



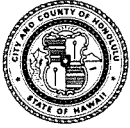
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<b>Non-Residential Sewer Service Charges</b>			
	<b>Effective July 1 of:</b>	<b>1</b>	<b>2</b>
1. Charge per 1,000 gallons of water usage, use the following formula:  0.857 + 0.143(SSm/200) multiplied by applicable rate	2014	4.08	4.08
	2015	4.29	4.29
	2016	4.63	4.63
Extra Strength Wastewater			
2. Charge per 1,000 gallons of wastewater discharge, use the following formula:  0.857 + 0.143(SSm/200) multiplied by applicable rate	2012	\$3.77	\$3.77
	2013	3.93	3.93
	2014	4.08	4.08
	2015	4.29	4.29
	2016	4.63	4.63

Section 8. Ordinance material to be repealed is bracketed. New material is underscored except for Appendix 14-B which is a total replacement. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinance of Honolulu, the reviser of ordinances need not include the brackets, the bracketed materials, or the underscoring.



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Section 9. This ordinance shall take effect July 1, 2012.

INTRODUCED BY:

[Signature] (br)

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DATE OF INTRODUCTION:

JAN 23 2012  
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
PETER B. CARLISLE, Mayor  
City and County of Honolulu